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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,328	08/26/2003	Takeyuki Ueda	1075.1234	2114
21171	7590	12/23/2008		
STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER BHATTACHARYA, SAM	
			ART UNIT	PAPER NUMBER
			2617	
			MAIL DATE	DELIVERY MODE
			12/23/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/647,328

Applicant(s)

TAKEYUKI UEDA

Examiner

SAM BHATTACHARYA

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO/SG/US)
- Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by WO 95/31775 (hereinafter “Craycroft”).

Regarding claims 1, 10 and 16, Craycroft discloses a mobile terminal comprising: a controller for switching a current screen theme of a GUI (graphical user interface) screen of an application program to a prospective screen theme, the GUI screen including two or more GUI tools of a same type and being displayed on a display of said mobile terminal; and a storage for storing a plurality of screen theme definition data sets, one defining each of a plurality of screen themes; wherein said controller performs the steps of (a) loading one of the plural screen theme definition data sets stored in said storage, which screen theme definition data set defines the prospective screen theme, into a memory region reserved for the application program, and (b) drawing the two or more GUI tools of a same type included in the GUI screen using the loaded screen theme definition data set, which is stored in the memory region for the application program. See FIG. 4, page 3, line 22 – line 26.

Regarding claims 2 and 11, Craycroft discloses that, at the step (a) of loading, said controller loads at least part of the screen theme definition data set defining the prospective

screen theme, which part concerns one or more GUI tools required for the GUI screen, from said storage into the memory region for the application program. See page 3, line 22 – line 26.

Regarding claims 3 and 12, Craycroft discloses that when the application program is activated, said controller loads a default screen definition data set defining a default screen theme, which data set is one of the plural screen theme definition data sets stored in said storage, into the memory region for the application program; and at the step (a) of loading, said controller replaces the default screen theme definition data set with the screen theme definition data set defining the prospective screen theme by loading the last-named screen theme definition data set stored in said storage into the memory region for the application program. See page 14, line 13 – page 16, line 3.

Regarding claims 4 and 13, Craycroft discloses that said controller performs the step (a) of loading using screen-theme information managed by an operating system. See page 3, line 22 – line 26.

Regarding claims 5 and 14, Craycroft discloses that said controller loads the plural screen theme definition data sets, which are stored in said storage, into a memory region reserved for an operating system, and at the step (a) of loading, said controller loads the screen theme definition data set defining the prospective screen theme loaded in the last-named memory region for the operating system, instead of loading the last-named screen theme definition data set stored in said storage. See page 34, line 27 – page 35, line 19.

Regarding claims 6 and 15, Craycroft discloses that, if current screen theme information managed by an operating system is replaced, said controller performs the step (a) of loading and the step (b) of drawing.

Regarding claim 7, Craycroft discloses that said controller replaces current screen-theme information managed by an operating system with screen-theme information associated with the prospective screen theme responsive to a screen theme determination command based on a screen-theme setting application program used for setting a screen theme; if the current screen-theme information is replaced with the screen-theme information associated with the prospective screen theme, said controller sends the first-named application program a notification of screen theme replacement based on the operating system; and if the first-named application program receives the notification of screen-theme replacement from the operating system, said controller performs the step (a) of loading and the step (b) of drawing based on the first named application program. See page 34, line 27 – page 35, line 19.

Regarding claim 8, Craycroft discloses that said controller switches, in accordance with a position selected in a screen theme list included in a GUI screen of a screen-theme setting application program used for setting a screen theme, a screen theme of a GUI screen of the screen-theme setting application program. See page 3, line 22 – line 26.

Regarding claim 9, Craycroft discloses that said controller displays, in accordance with a position selected in a screen-theme list included in a GUI screen of a screen-theme setting application program used for setting a screen theme, a bitmap image on the display of said mobile terminal. See page 34, line 27 – page 35, line 19.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAM BHATTACHARYA whose telephone number is (571)272-7917. The examiner can normally be reached on Weekdays, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

sb

/Sam Bhattacharya/
Primary Examiner, Art Unit 2617